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FOR S/WCI (AMBASSADOR WILLIAMSON), EUR/PGI (NERISSA COOK),
AND EUR/AGS

E.O. 12958: DECL: 04/13/2017
TAGS: [PTER](#) [PREL](#) [KAWC](#) [PHUM](#) [AU](#)
SUBJECT: RESETTLEMENT OF GUANTANAMO DETAINEES: AUSTRIA WILL
CONSIDER ACCEPTING DETAINEES

REF: A) STATE 43379 B) VIENNA 858 C) STATE 37005 D)

STATE 36991

Classified By: Charge d'Affaires Scott F. Kilner for reasons 1.4 (b) and (d).

Summary

¶1. (C) During an April 11 meeting with Acting Econ/Pol Counselor, MFA Legal Advisor Ferdinand Trauttmansdorff said the GoA would consider accepting one or two Guantanamo detainees. Trauttmansdorff cautioned that it would be a difficult and long process, but there was a certain level of political will within the GoA and Austrian society to be more pro-active on the Guantanamo issue. According to Trauttmansdorff, the GoA would need more specific data on any prospective candidates for resettlement in Austria and the Ministry of Interior would have to be involved in any decision to accept detainees. Trauttmansdorff suggested that the International Organization for Migration might be a vehicle to de-politicize the Guantanamo resettlement issue by concentrating on the technical aspects -- financing, housing, integration -- of resettlement. Trauttmansdorff noted that the MFA had already established a small task force to consider the possibility of Austria accepting detainees. End Summary.

¶2. (C) On April 11, Acting Econ/Pol Counselor delivered ref A points regarding the resettlement of two Sudanese Guantanamo detainees to Ferdinand Trauttmansdorff, the MFA's Legal Advisor. Trauttmansdorff replied that he wanted to convey additional, general GoA views on Guantanamo resettlements as a follow-up to the Charge's discussion with the MFA's Secretary General (ref B).

¶3. (C) Trauttmansdorff cautioned that it would be a long and difficult process, but, in his view, he could imagine the GoA accepting one or two detainees. There were several outstanding questions and concerns to address before the GoA could move forward. First, the GoA would have to be absolutely certain of the detainees' legal status. Austria would have to accept a detainee as either an asylee or an immigrant. If there were any outstanding criminal charges, this would seriously complicate the process. Second, Austria would only accept nationalities/ethnic groups that would have a reference point in Austria. For instance, Trauttmansdorff speculated that there was probably a Sudanese community in Austria, sizable enough to provide assistance to any Sudanese detainees. Finally, the GoA would need to "help create" a request from Austrian stakeholders, such as NGOs and the media, which would provide politicians with the necessary cover to accept some Guantanamo detainees. Trauttmansdorff

opined that, contrary to Germany where the debate about accepting detainees has become a platform for anti-American sentiment, Austria would be more sympathetic to the plight of the detainees.

¶4. (C) Trauttmansdorff cautioned that these views were his own, but he believed that there was a certain amount of political will within the MFA, other parts of the GoA, and in Austrian society to be proactive on the Guantanamo problem, rather than to simply remain defensive and critical. Trauttmansdorff pointed to UN Rapporteur Manfred Nowak's public call for Austria and other European governments to be more receptive. The GoA, according to Trauttmansdorff, preferred a pragmatic approach to the Guantanamo resettlement issue. It was in this vein, he noted, that former Chancellor Schuessel had suggested to President Bush during the June 2006 U.S.-EU Summit that the International Migration Organization (IOM) could play a role in resettlement. By enlisting the IOM's support on issues such as financing, housing, and integration, the international community could de-politicize the resettlement problem, transforming it into a more technical issue. Trauttmansdorff noted that the Head of IOM in Vienna is an Austrian national, who would work closely and effectively with the GoA on any resettlement of detainees.

¶5. (S) Trauttmansdorff said that it would be vital to include the Ministry of Interior in any discussion of Guantanamo resettlements. The MoI is cautious on this score, but, according to Trauttmansdorff, not outright opposed to the idea. The MoI would want to look at specific data and the profile of any prospective resettlement candidate. We responded that the USG could probably provide data on specific detainees (ref C). Trauttmansdorff opined that USG-vetted Muslim detainees might be a better fit vis-a-vis the MoI, because it already had a surveillance system in

place for certain nationalities. In the end, the MoI would need political cover from other parts of the GoA, before it would agree to accept any detainees.

¶6. (C) Trauttmansdorff noted that the MFA had established a small task force to explore the possibility of Austria accepting one or two Guantanamo detainees. He promised to keep the Embassy informed of the task force's internal deliberations and to be candid if the task force encounters serious, or even insurmountable, impediments to resettlement in Austria. Trauttmansdorff asked that the USG treat any information the GoA shares with us on this issue in a strictly confidential manner. He noted that there were other EU Member States who were also sympathetic towards a more active stance.

Comment

¶7. (C) During Austria's EU Presidency in the first half of 2006, Trauttmansdorff maintained an excellent working relationship with the Department's Legal Advisor to keep discussion of Guantanamo on a less polemical, more pragmatic level. Trauttmansdorff's comments are the most forward leaning views we have yet heard from any senior GoA officials on Guantanamo resettlement. It is uncertain how much support his views have at political levels within the GoA. Almost certainly, however, the MFA will need cover and support from key segments in Austrian society if this initiative is to bear fruit.

¶8. (C) We will maintain regular contact with Trauttmansdorff to monitor the MFA's internal deliberations regarding possible acceptance of some detainees. We will also meet with UN Rapporteur Nowak to get his views on how to move the GoA towards a more accommodating position. Finally, we recommend that Secretary Rice raise this issue during her May 31 meeting with Chancellor Gusenbauer.

¶9. (C) Public Affairs Footnote: Coincidentally, the Der

Standard newspaper published on April 13 an Op-Ed piece by Ambassador McCaw calling on Austria and other European partners to accept Guantanamo detainees. In response o the article, Trauttmansdorff called Charge to iscuss press guidance. It was agreed that both he MFA and the Embassy would respond to any inquiries by saying that serious discussions on Guantnamo between the Austrian and U.S. Governments ar continuing, but that the USG has not yet asked he GoA to accept any specific individual detainee.

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